

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BILL DOMBECK,

Plaintiff,

-vs-

Case No. 15-C-0651

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff Bill Dombeck (“Dombeck”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 2) on his appeal from the denial of his application(s) for social security disability benefits. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By his petition and affidavit to proceed IFP, Dombeck avers that he is single, he has no income, and he receives monthly FoodShare. He owns

a 1994 Ford Aerostar worth \$1,068, however he owns no other valuable tangible property, and he has no funds in a checking or savings account. Dombeck resides with his parents who support him, and he contributes his FoodShare to the household. He also owes “quite a bit” in student loans and overdue child support. (Pet. 5.)

Based on the information provided, Dombeck has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that he is unable to pay the \$350 filing fee for this action. Furthermore, Dombeck’s Complaint states an arguable claim for relief. Accordingly, Dombeck’s petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Dombeck’s motion for leave to proceed IFP (ECF No. 2) is
GRANTED.

Dated at Milwaukee, Wisconsin, this 9th day of June, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge